

under this clause may be combined with notification required under section 30118(b) of this title;

(2) to specify the earliest date under section 30119(b) of this title on which the defect or noncompliance will be remedied without charge under section 30120 of this title; and

(3) if notification was required under subsection (a) of this section, to reimburse an owner or purchaser for reasonable and necessary expenses (in an amount that is not more than the amount specified in the order of the Secretary under subsection (a)) incurred for repairing the defect or noncompliance during the period beginning on the date that notification was required to be issued and ending on the date the owner or purchaser receives the notification under this subsection.

(d) **VENUE.**—Notwithstanding section 30163(c) of this title, a civil action about an order issued under section 30118(b) of this title must be brought in the United States district court for a judicial district in the State in which the manufacturer is incorporated or the District of Columbia. On motion of a party, the court may transfer the action to another district court if good cause is shown. All actions related to the same order under section 30118(b) shall be consolidated in an action in one judicial district under an order of the court in which the first action was brought. If the first action is transferred to another court, that court shall issue the consolidation order.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 954.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30121(a)	15:1397(a)(1)(D) (related to 15:1415(b)).	Sept. 9, 1966, Pub. L. 89–563, §108(a)(1)(D) (related to §155), 80 Stat. 722; restated Oct. 27, 1974, Pub. L. 93–492, §103(a)(1)(A), (3), 88 Stat. 1477, 1478.
	15:1415(b).	Sept. 9, 1966, Pub. L. 89–563, 80 Stat. 718, §155(b)–(d); added Oct. 27, 1974, Pub. L. 93–492, §102(a), 88 Stat. 1474.
30121(b)	15:1397(a)(1)(D) (related to 15:1415(c)).	
30121(c)	15:1397(a)(1)(D) (related to 15:1415(d)).	
30121(d)	15:1397(a)(1)(D) (related to 15:1415(a)).	Sept. 9, 1966, Pub. L. 89–563, 80 Stat. 718, §155(a); added Oct. 27, 1974, Pub. L. 93–492, §102(a), 88 Stat. 1474; Nov. 8, 1984, Pub. L. 98–620, §402(17), 98 Stat. 3358.

In this section, the text of 15:1397(a)(1)(D) (related to 15:1415) is omitted as surplus.

In subsection (a)(1), before clause (A), the words “and to which subsection (a) of this section applies” are omitted because of the restatement. In clause (A), the words “prescribed under this chapter” are substituted for “Federal”, and the words “civil action” are substituted for “proceeding”, for consistency. In clause (B), the words “that there is such a defect or failure” are omitted as surplus. In clause (D), the word “considerers” is substituted for “which in the judgment of . . . are” to eliminate unnecessary words. In clause (E), the word “remedy” is substituted for “cause . . . to be rem-

edied” to eliminate unnecessary words. The words “civil action” are substituted for “court proceeding” for consistency.

In subsection (b)(1), the words “with respect to such failure to notify” are omitted as surplus. The word “enjoins” is substituted for “restrains” for consistency. The words “of such an order” and “for which the effectiveness of” are omitted as surplus.

In subsection (b)(2), the words “by an order”, “or not”, and “(to which subsection (a) of the section applies)” are omitted as surplus.

In subsection (c), before clause (1), the words “a civil action referred to in subsection (a) of this section” are substituted for “(i) a manufacturer fails within the period specified in section 1413(b) of this title to comply with an order under section 1412(b) of this title to afford notification to owners and purchasers, (ii) a civil action to which subsection (a) of this section applies is commenced with respect to such order, and (iii) . . . in such action” to eliminate unnecessary words. In clause (1), the word “action” is substituted for “proceeding” for consistency. The words “containing” and “by an order” are omitted as surplus. In clause (2), the words “under section 30119(b) of this title” are substituted for “(in accordance with the second and third sentences of section 1414(b) of this title)” for clarity. The words “under section 30120 of this title” are added for clarity. In clause (3), the words “which are . . . by such owner or purchaser”, “the purpose of”, and “to which the order relates” are omitted as surplus.

In subsection (d), the words “Notwithstanding section 30163(c) of this title” are added for clarity. The words “An action under section 1399(a) of this title to restrain a violation of an order . . . or under section 1398 of this title to collect a civil penalty with respect to a violation of such an order” and “to which the order applies” are omitted as surplus. The words “may transfer the action” are substituted for “orders a change of venue” for consistency with 28:1404. The words “(including enforcement actions)” are omitted as surplus. The words “that court shall issue the consolidation order” are substituted for “by order of such other court” for clarity.

§ 30122. Making safety devices and elements inoperative

(a) **DEFINITION.**—In this section, “motor vehicle repair business” means a person holding itself out to the public to repair for compensation a motor vehicle or motor vehicle equipment.

(b) **PROHIBITION.**—A manufacturer, distributor, dealer, or motor vehicle repair business may not knowingly make inoperative any part of a device or element of design installed on or in a motor vehicle or motor vehicle equipment in compliance with an applicable motor vehicle safety standard prescribed under this chapter unless the manufacturer, distributor, dealer, or repair business reasonably believes the vehicle or equipment will not be used (except for testing or a similar purpose during maintenance or repair) when the device or element is inoperative.

(c) **REGULATIONS.**—The Secretary of Transportation may prescribe regulations—

(1) to exempt a person from this section if the Secretary decides the exemption is consistent with motor vehicle safety and section 30101 of this title; and

(2) to define “make inoperative”.

(d) **NONAPPLICATION.**—This section does not apply to a safety belt interlock or buzzer designed to indicate a safety belt is not in use as described in section 30124 of this title.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 956.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30122(a)	15:1397(a)(2)(A) (last sentence).	Sept. 9, 1966, Pub. L. 89-563, 80 Stat. 718, §108(a)(2)(A)-(C); added Oct. 27, 1974, Pub. L. 93-492, §103(a)(1)(A), 88 Stat. 1477.
30122(b)	15:1397(a)(2)(A) (1st sentence).	
30122(c)	15:1397(a)(2)(B).	
30122(d)	15:1397(a)(2)(C).	

In subsections (a) and (c), the words “the term” are omitted as surplus.

In subsection (a), the words “in the business of” are omitted as surplus.

In subsection (b), the words “an applicable motor vehicle safety standard prescribed under this chapter” are substituted for “an applicable Federal motor vehicle safety standard” for consistency. The words “of design” the 2d time they appear and “rendered” are omitted as surplus.

In subsection (c)(1), the words “section 30101 of this title” are substituted for “the purposes of this chapter” as being more precise.

In subsection (d), the words “with respect . . . the rendering inoperative of” are omitted as surplus.

§ 30123. Tires

(a) REGROOVED TIRE LIMITATIONS.—(1) In this subsection, “regrooved tire” means a tire with a new tread produced by cutting into the tread of a worn tire.

(2) The Secretary may authorize the sale, offer for sale, introduction for sale, or delivery for introduction in interstate commerce, of a regrooved tire or a motor vehicle equipped with regrooved tires if the Secretary decides the tires are designed and made in a way consistent with section 30101 of this title. A person may not sell, offer for sale, introduce for sale, or deliver for introduction in interstate commerce, a regrooved tire or a vehicle equipped with regrooved tires unless authorized by the Secretary.

(b) UNIFORM QUALITY GRADING SYSTEM, NOMENCLATURE, AND MARKETING PRACTICES.—The Secretary shall prescribe through standards a uniform quality grading system for motor vehicle tires to help consumers make an informed choice when purchasing tires. The Secretary also shall cooperate with industry and the Federal Trade Commission to the greatest extent practicable to eliminate deceptive and confusing tire nomenclature and marketing practices. A tire standard or regulation prescribed under this chapter supersedes an order or administrative interpretation of the Commission.

(c) MAXIMUM LOAD STANDARDS.—The Secretary shall require a motor vehicle to be equipped with tires that meet maximum load standards when the vehicle is loaded with a reasonable amount of luggage and the total number of passengers the vehicle is designed to carry. The vehicle shall be equipped with those tires by the manufacturer or by the first purchaser when the vehicle is first bought in good faith other than for resale.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 956; Pub. L. 105-178, title VII, §7106(b), June 9, 1998, 112 Stat. 467.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30123(a)	15:1421 (1st sentence).	Sept. 9, 1966, Pub. L. 89-563, §§201-203, 204(c), 205, 80 Stat. 728, 729.
30123(b)	15:1421 (2d sentence).	
30123(c)	15:1421 (last sentence).	
30123(d)	15:1424(a).	Sept. 9, 1966, Pub. L. 89-563, §204(a), 80 Stat. 729; re-stated Oct. 27, 1974, Pub. L. 93-492, §110(c), 88 Stat. 1484.
	15:1424(c).	
30123(e)	15:1423.	
	15:1425.	
30123(f)	15:1422.	

In subsections (a) and (d)(2), the words “section 30101 of this title” are substituted for “the purposes of this chapter” as being more precise.

In subsection (a), the words “to a motor vehicle safety standard prescribed under this chapter” are substituted for “In all standards for . . . established under subchapter I of this chapter . . . thereto” for consistency and because of the restatement.

In subsection (b)(1)(A) and (B), the word “suitable” is omitted as surplus.

In subsection (b)(1)(C), the words “for a tire containing” are substituted for “unless the tire contains . . . in which case it shall also contain” to eliminate unnecessary words. The word “allowing” is substituted for “which would permit” for consistency.

In subsection (b)(3), the word “actual” is omitted as surplus.

In subsection (b)(5)(A), the word “statement” is substituted for “recital” for clarity. The words “complies with” are substituted for “conforms to”, the words “prescribed under this chapter” are substituted for “Federal”, and the word “or” is substituted for “except that in lieu of such recital”, for consistency.

In subsection (b)(5)(B), the word “appropriate” is omitted as surplus.

In subsection (d)(2), the words “by order” are omitted as surplus. The words “a regrooved tire or a motor vehicle equipped with regrooved tires” are substituted for “any tire or motor vehicle equipped with any tire which has been regrooved” for consistency. The words “A person may not . . . unless authorized by the Secretary” are substituted for “No person shall” for clarity and consistency in the revised title. The word “introduce” is substituted for “introduction” after “or” to correct a mistake.

In subsection (e), the words “The Secretary shall prescribe through standards” are substituted for “within two years after September 9, 1966, the Secretary shall, through standards established under subchapter I of this chapter, prescribe by order, and publish in the Federal Register” in 15:1423 to eliminate unnecessary and executed words. The text of 15:1423 (2d sentence) is omitted as executed. The last sentence is substituted for 15:1425 to eliminate unnecessary words.

In subsection (f), the words “In standards established under subchapter I of this chapter” and “fully” are omitted as surplus. The words “The vehicle shall be equipped” are added for clarity.

AMENDMENTS

1998—Pub. L. 105-178 redesignated subsecs. (d) to (f) as (a) to (c), respectively, and struck out former subsecs. (a) to (c), which related to labeling requirements, contents of label, and additional information that may be required, respectively.

IMPROVED TIRE INFORMATION

Pub. L. 106-414, §11, Nov. 1, 2000, 114 Stat. 1806, provided that:

“(a) TIRE LABELING.—Within 30 days after the date of the enactment of this Act [Nov. 1, 2000], the Secretary of Transportation shall initiate a rulemaking proceed-